

JIM ROAD LEGALIZATION
COUNTY ROAD #797
ROAD OFFICIAL'S REPORT

UMATILLA COUNTY
DEPARTMENT OF PUBLIC
WORKS

AUGUST 19, 2009

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JIM ROAD LEGALIZATION REPORT

HISTORY

The right of way for Jim Road was deeded to Umatilla County in 1929. There was a road of some type present before this date as it shows up on the 1914 Standard Atlas of Umatilla County. It also shows up on the 1932 Metsker's Atlas of Umatilla County. The County never accepted the deeds until 1996.

GENERAL

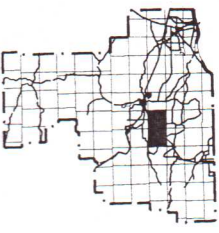
A private survey done in Section 27 recently showed encroachments by a bunk house and some retaining walls onto the road right of way. Jim Duff and Kyle Roselle were in the process of doing a boundary adjustment to shrink the acreage where the house is on the west side of the road so the house could be sold. They would have difficulty selling the property with the encroachments present. According to Jim Duff, the bunk house was built in the 1950's. There are also some very old Locust trees that have been in the road right of way for longer than that. ORS 368.221 allows a county governing body to legalize a road at lesser than original width if encroachments may not be practically removed.

IMPACTS TO UTILITIES AND PROPERTY OWNERS

Legalization of the road as shown on the survey map and in the photos would have little or no negative impact to property owners or utilities.

RECOMMENDATION

The Public Works Department recommends that the road be legalized as shown on the attached survey map and as described in the final order. Width of the road will be 60 feet as originally established, except in the encroachment area where width will be no less than 40 feet.



R33

R34

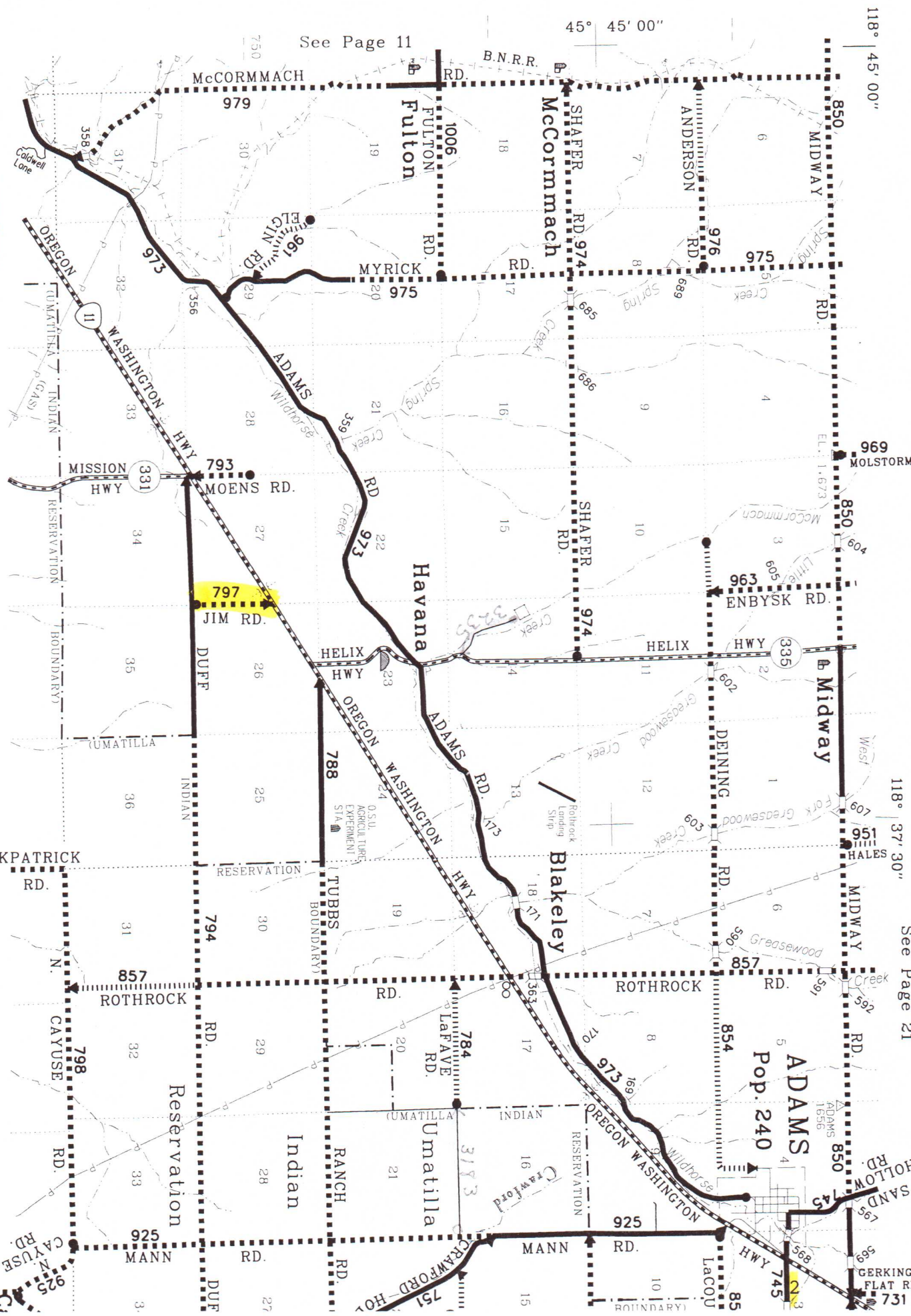
See Page 27

See Page 11

118° 45' 00"

118° 37' 30"

See Page 21

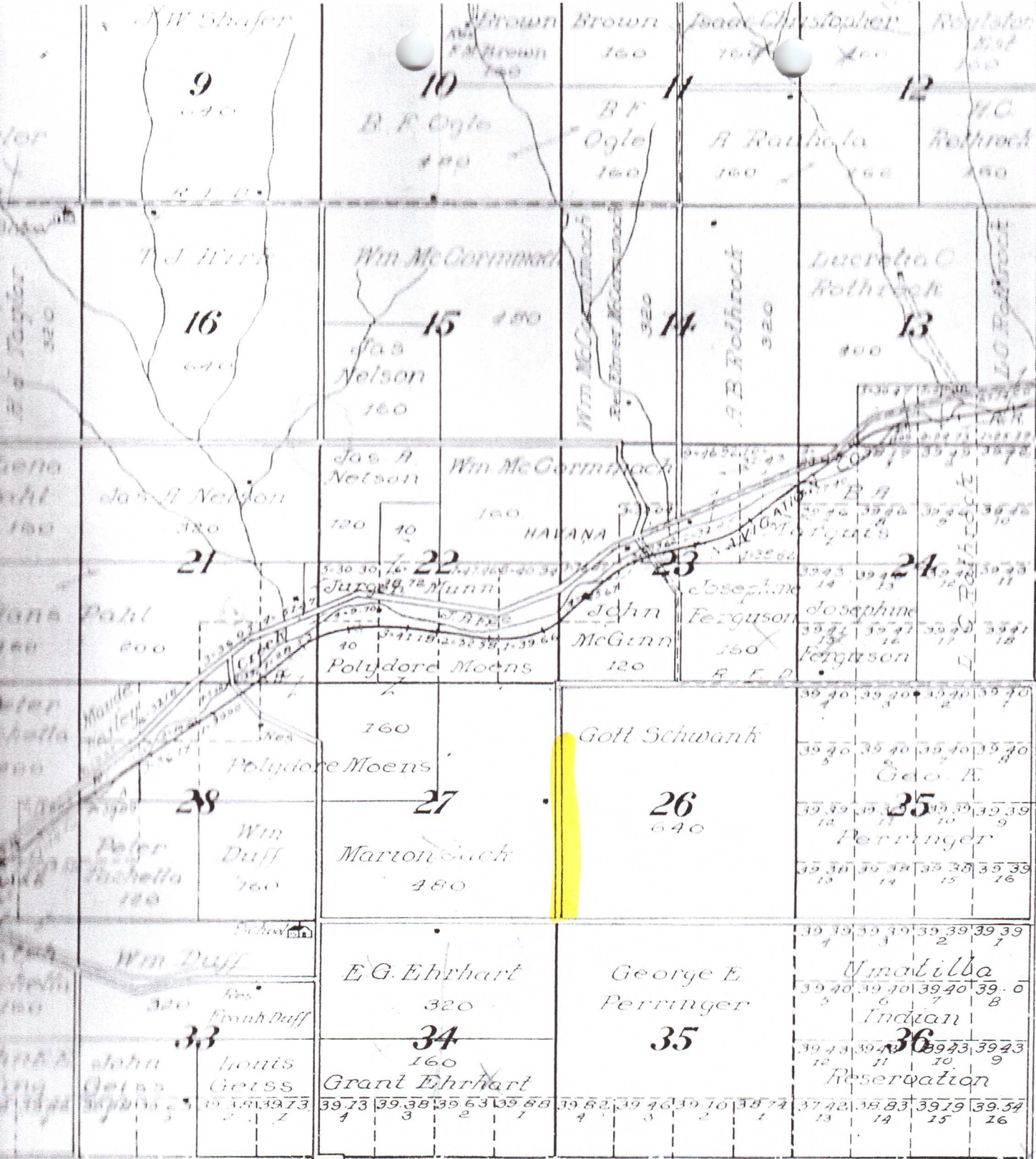


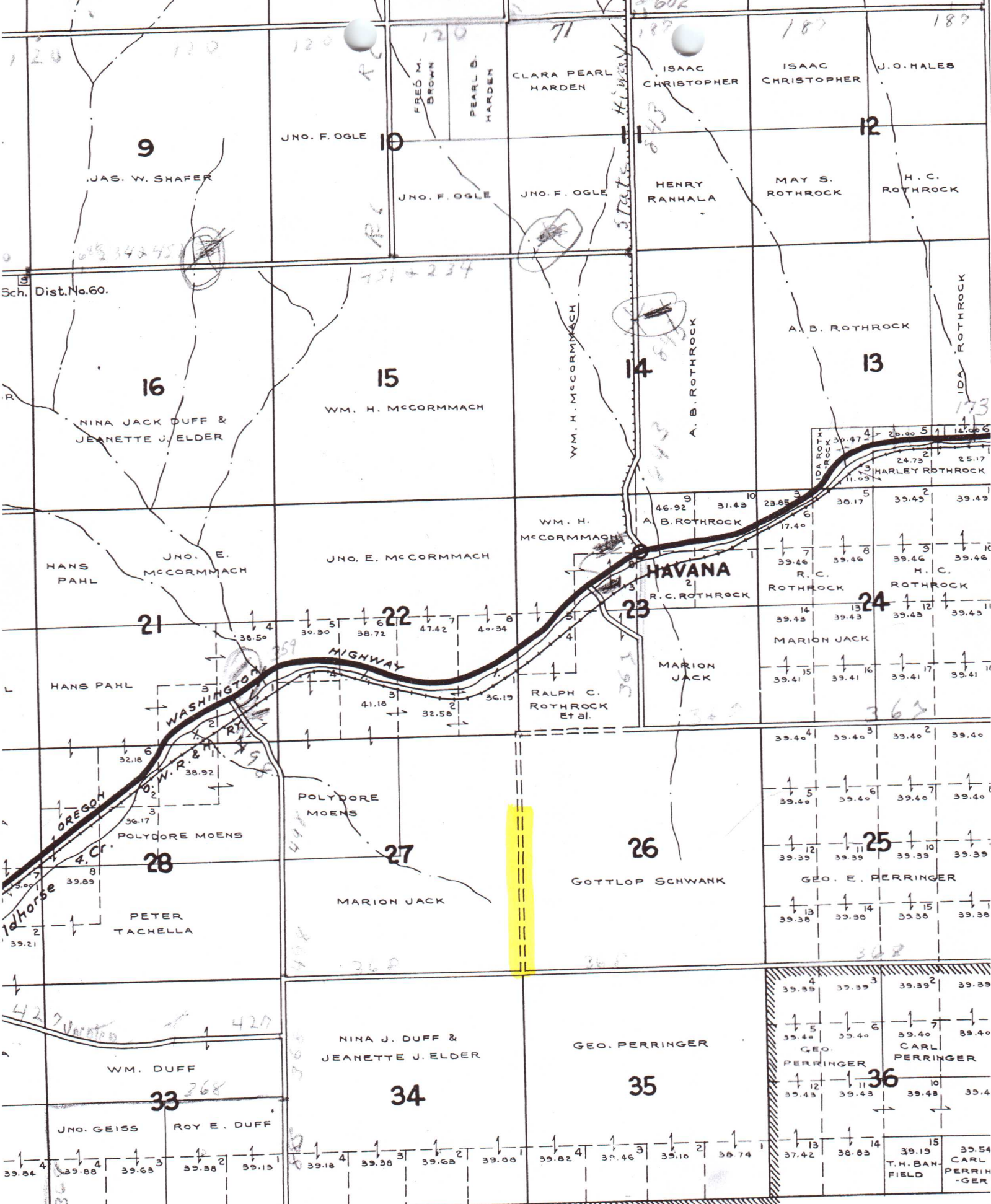
ADAMS
Pop. 240

ADAMS
1656

ADAMS
1656

ADAMS
1656





UMATILLA INDIAN RESERVATION BOUNDARY

In the Matter of Oregon Road

Known as the

Know All Men by These Presents, That Marion Jack and Laura Jack, his wife,

of the County of Umatilla,

in the State of Oregon, in consideration of the benefits and other valuable considerations, and the sum of

One Dollar

paid them, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the County of Umatilla, State of Oregon, the following described parcel of land, situate in Umatilla County, in the State of Oregon, to-wit:

A strip of land 30 feet wide being 30 feet on the west side of the section line between sections 26 and 27, Township 3 North, Range 33, East W. M.

To have and to hold the same, unto the County of Umatilla, State of Oregon, for the purpose of a public road forever.

In Witness Whereof, they have hereunto set their hand and seal this 10th day of October, 1929.

Signed, sealed and delivered in presence of:

J. S. Johns

Myrtle Minnis

MARION JACK

LAURA JACK

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF OREGON, ss. County of Umatilla

I, J. S. Johns, a Notary Public in and for the State of Oregon, do hereby certify that on this 10th day of October, A. D. 1929, personally appeared before me Marion Jack and Laura Jack, his wife

to me known to be the individual described in and who executed the within instrument, and acknowledged that they executed the same as their free and voluntary act and deed, for the purposes therein mentioned.

Given under my hand and official seal this 10th day of October, A. D. 1929.

J. S. JOHNS
NOTARY PUBLIC
STATE OF OREGON

J. S. JOHNS, Notary Public for State of Oregon. My Commission expires Sept. 11, 1932.

C. E. Graham
Recorder of Conveyances.

Filed for record October 23rd, 1929 at 10:20 A.M.

By Deputy.

Walla Walla Matter of Oregon Road

Known as the _____
Know All Men by These Presents, That G. Schwank, otherwise known as Gottlieb Swank,
and Allie Swank, his wife,
Washington of the County of Walla Walla
in the State of ~~Oregon~~, in consideration of the benefits and other valuable considerations, and the sum of _____
One and No/100 Dollar____
paid them, the receipt whereof is hereby acknowledged, _____
have granted, bargained, sold and conveyed, and by these presents do _____ grant, bargain, sell and convey unto the County
of Umatilla, State of Oregon, the following described parcel of land, situate in Umatilla County, in the State of Oregon, to-wit:

A strip of land 30 feet wide being 30 feet on the south side of
the section line common to sections 23 and 26, Township 3 North, Range
33, East, W. M. also a strip of land 30 feet wide on the East side of
the section line common to sections 26 and 27, Township 3 North, Range
33 East W. M.

To Have and to Hold the same, unto the County of Umatilla, State of Oregon, for the purpose of a public road forever.

In Witness Whereof, we _____ have hereunto set our hands and seals this 22nd
day of October, 1929.

Signed, sealed and delivered in presence of: _____ G. SCHWANK (Seal)
H. King _____ ALLIE SCHWANK (Seal)
S. E. King _____ (Seal)

STATE OF ~~WASHINGTON~~
County of ~~Umatilla~~ WALLA WALLA

I, S. E. King, a Notary Public in and for the State of Oregon
do hereby certify that on this 22nd day of October, A. D. 1929, personally appeared
before me G. Schwank and Allie Schwank, his wife,
to me known to be the individual described in and who executed the within instrument, and acknowledged that
they executed the same as their free and voluntary act and deed, for the purposes therein mentioned.
Given under my hand and official seal this 22nd day of October, A. D. 1929

S.E.KING, NOTARY
PUBLIC, STATE OF
WASHINGTON, COMMISS-
SION EXPIRES
AUG. 8, 1930

S.E.KING, Notary Public for State of Washington
Residing at Walla Walla.
My Commission expires Aug. 8th, 1930.

C. E. Abraham
Recorder of Conveyances.

Filed for record October 23rd, 1929 at 10:18 A.M.

By _____
Deputy.

RECEIVED
OFFICE OF COUNTY RECORDS
UMATILLA COUNTY

96 APR 24 P 3: 29

BOARD OF COUNTY COMMISSIONERS

UMATILLA COUNTY, OREGON

In the Matter of Acceptance)
of a Donation of Property for)
Road Right of Way)

ORDER NO. R096-03

WHEREAS, in 1929 right of way deeds were signed conveying 60 feet of right of way to Umatilla County for road purposes from what is now County Road #794 (Duff Road) to what is now the southerly right of way line of the Oregon-Washington State Highway 11; and

WHEREAS Umatilla County has been maintaining a road named Jim Road in the above described location for many years; and

WHEREAS ORS 368.096(a) provides for acceptance of property by dedication or donation; and

WHEREAS no record of the County Court accepting the right of way donation or assigning it a road number can be found in County road records;

THEREFORE IT IS NOW ORDERED that the road described below be accepted and maintained as a county road, retain the name Jim Road, and be numbered County Road #797.

LEGAL DESCRIPTION

A right of way 60 feet in width, lying 30 feet either side of the following described centerline: Commencing at the section corner common to Sections 26, 27, 34, and 35, Township 3 North, Range 33 East W. M.; thence Northerly along the section line common to Sections 26 and 27, Township 3 North, Range 33 East W. M. to the southerly right of way line of the Oregon-Washington Highway #11 and the terminus of this description.

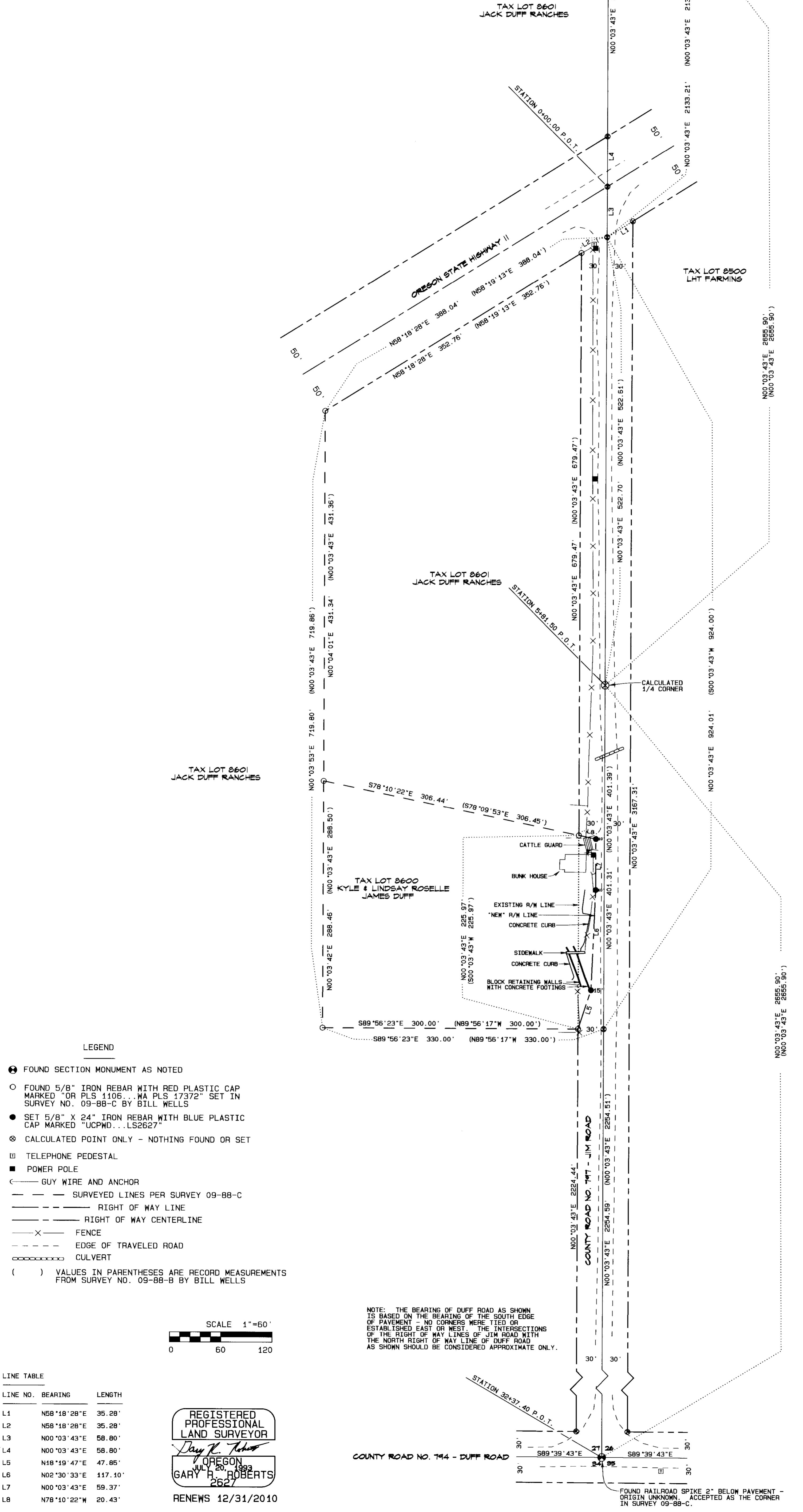
JIM ROAD LEGALIZATION SURVEY

SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT COUNTY ROAD NO. 797, JIM ROAD, FOR A ROAD LEGALIZATION PROCEEDING AT THE REQUEST OF THE UMATILLA COUNTY BOARD OF COMMISSIONERS. THE LEGALIZATION WAS INITIATED AFTER IT WAS DISCOVERED THAT A BUNKHOUSE OWNED BY KYLE AND LINDSAY ROSELLE AND JIM DUFF ENCROACH INTO THE ROAD RIGHT OF WAY. THE RIGHT OF WAY WAS DEEDED TO UMATILLA COUNTY OCTOBER 10, 1929, BY GOTTLIEB AND ALLIE SWANK, BOOK 120, PAGE 267, DEED RECORDS, AND BY MARION AND LAURA JACK, BOOK 120, PAGE 268, DEED RECORDS. THE DEEDS WERE NOT OFFICIALLY ACCEPTED BY THE COUNTY UNTIL APRIL 17, 1996 BY ORDER NO. R096-03.

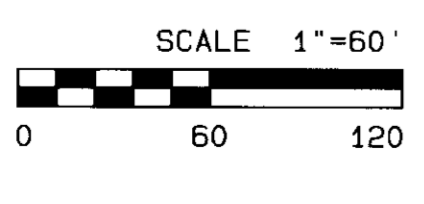
BESIDES THE BUNKHOUSE, OTHER ENCROACHMENTS INCLUDE A SIDEWALK, SOME CONCRETE BLOCK RETAINING WALLS, AND SOME LARGE LOCUST TREES. THE TREES HAVE OBVIOUSLY BEEN THERE FOR A LONG TIME AND THE BUNKHOUSE HAS BEEN IN ITS PRESENT LOCATION SINCE THE 1950'S ACCORDING TO THE PROPERTY OWNER. ORS 368.221 ALLOWS A COUNTY GOVERNING BODY TO LEGALIZE A ROAD AT A NARROWER THAN RECORD WIDTH IF ENCROACHMENTS EXIST.

THIS SURVEY WAS PERFORMED USING A SOKKIA RADIAN GPS SYSTEM OPERATED IN RTK MODE FOR TYING IN EXISTING MONUMENTS AND TOPOGRAPHY. A TOPCON GTS-813A ROBOTIC TOTAL STATION WAS USED TO TIE IN THE EXISTING MONUMENT NORTH OF THE BUNKHOUSE AND TO SET THE NEW MONUMENTS. BEARING BASE FOR THIS SURVEY WAS N00°03'43"E ALONG THE LINE BETWEEN SECTIONS 26 AND 27 FROM SURVEY NO. 09-88-C.



LEGEND

- ⊕ FOUND SECTION MONUMENT AS NOTED
- FOUND 5/8" IRON REBAR WITH RED PLASTIC CAP MARKED "OR PLS 1106, WA PLS 17372" SET IN SURVEY NO. 09-88-C BY BILL WELLS
- SET 5/8" X 24" IRON REBAR WITH BLUE PLASTIC CAP MARKED "UCPND...LS2627"
- ⊗ CALCULATED POINT ONLY - NOTHING FOUND OR SET
- ⊠ TELEPHONE PEDESTAL
- POWER POLE
- GUY WIRE AND ANCHOR
- SURVEYED LINES PER SURVEY 09-88-C
- RIGHT OF WAY LINE
- RIGHT OF WAY CENTERLINE
- X — FENCE
- EDGE OF TRAVELED ROAD
- CULVERT
- () VALUES IN PARENTHESES ARE RECORD MEASUREMENTS FROM SURVEY NO. 09-88-B BY BILL WELLS



NOTE: THE BEARING OF DUFF ROAD AS SHOWN IS BASED ON THE BEARING OF THE SOUTH EDGE OF PAVEMENT - NO CORNERS WERE TIED OR ESTABLISHED EAST OR WEST OF THE INTERSECTIONS OF THE RIGHT OF WAY LINES OF JIM ROAD WITH THE NORTH RIGHT OF WAY LINE OF DUFF ROAD AS SHOWN SHOULD BE CONSIDERED APPROXIMATE ONLY.

LINE TABLE

LINE NO.	BEARING	LENGTH
L1	N58°18'28"E	35.28'
L2	N58°18'28"E	35.28'
L3	N00°03'43"E	58.80'
L4	N00°03'43"E	58.80'
L5	N18°19'47"E	47.85'
L6	N02°30'33"E	117.10'
L7	N00°03'43"E	59.37'
L8	N78°10'22"W	20.43'

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Gary R. Roberts
OREGON
JUL 20, 1993
GARY R. ROBERTS
2627
RENEWS 12/31/2010

UMATILLA COUNTY ROAD DEPARTMENT
3420 WESTGATE
PENDLETON, OREGON 97801
PHONE 541/278-5424

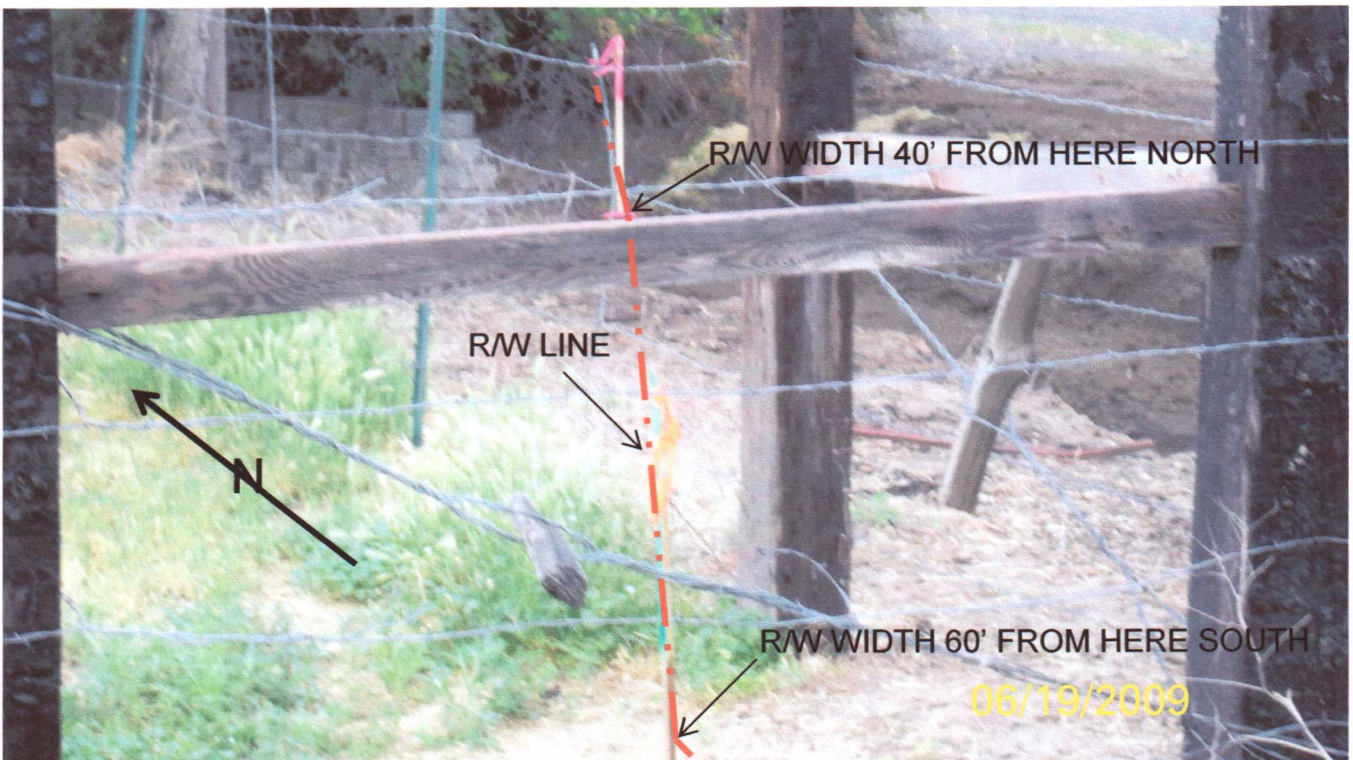
SURVEY FOR LEGALIZATION OF JIM ROAD
COUNTY ROAD NO. 797

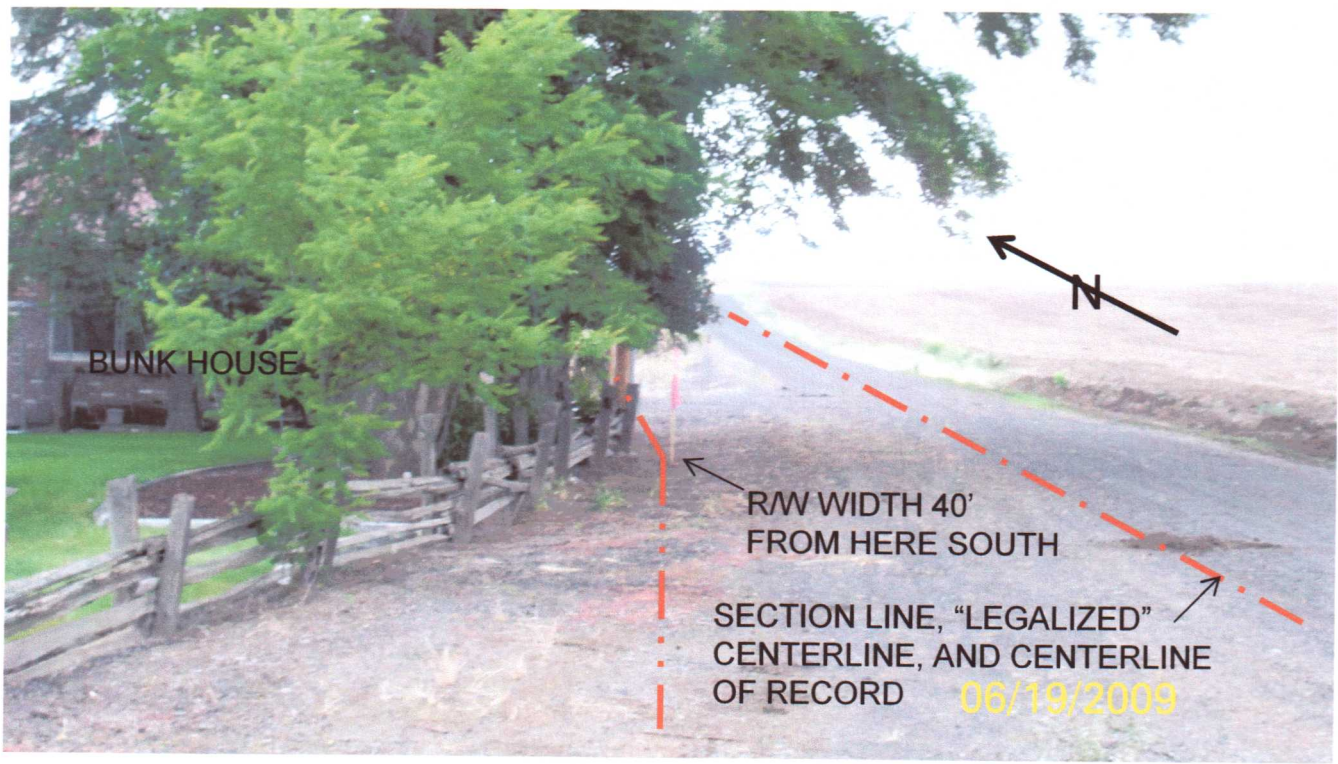
LOCATED IN SECTIONS 26 AND 27
TOWNSHIP 3 NORTH, RANGE 33 E.W.M.

DATE OF SURVEY: JUNE, 2009

SHEET 1 OF 1

09-100-C





B

